

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CENGAGE LEARNING, INC.; BEDFORD,  
FREEMAN & WORTH PUBLISHING  
GROUP, LLC D/B/A MACMILLAN  
LEARNING; MACMILLAN HOLDINGS,  
LLC; ELSEVIER INC.; ELSEVIER B.V.; and  
MCGRAW HILL LLC,

*Plaintiffs,*

v.

GOOGLE LLC,

*Defendant.*

Case No. 1:24-cv-04274-JLR-BCM

**NOTICE OF MOTION**

**ORAL ARGUMENT REQUESTED**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of Defendant Google LLC before the Honorable Jennifer L. Rochon, in Courtroom 20B of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order dismissing Counts II, III, and IV of the Amended Complaint (Dkt. No. 38) with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6), and granting such further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Order entered herein on September 23, 2024 (Dkt. No. 40), opposition papers, if any, must be served by October 30, 2024, and Defendant shall reply to any such opposition by November 20, 2024.

Dated: September 30, 2024  
New York, New York

Respectfully submitted,

**LATHAM & WATKINS LLP**

/s/ Sarang Vijay Damle

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